

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**RENEE CONNELLY, on Behalf of Herself  
and on Behalf of All Others Similarly  
Situated,**

**Plaintiff,**

**V.**

**AMAZON.COM SERVICES, LLC,**

**Defendant.**



**CASE NO. 5:23-CV-2768-JMG**

**MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF  
PLAINTIFF'S MOTION TO STRIKE**

Plaintiff Renee Connelly, on behalf of herself and on behalf of all others similarly situated, hereby files this Motion for Leave to File Reply Brief in Support of Plaintiff's Motion to Strike Exhibit I to Amazon's Response to Plaintiff's Motion for Class Certification. In support, Plaintiff respectfully state as follows:

I.

This lawsuit is a class action alleging that Amazon should have paid its employees for the time spent undergoing COVID-19 symptom screenings prior to the start of their shifts. On November 15, 2024, Plaintiff filed her Motion for Class Certification. (Dkt. 54). On December 2, 2024, Amazon filed its Response to Plaintiff’s Motion for Class Certification. (Dkt. 60). Along with its Response Brief, Amazon submitted a report from its expert, Peter Nickerson, as Exhibit I. (*See* Dkt. 60-10). However, the information contained in Exhibit I was not disclosed by the deadline set by the Court. Further, Exhibit I relies upon information that was never produced to Plaintiff in discovery. Accordingly, Plaintiff filed a Motion to Strike Exhibit I. (Dkt. 76).

Plaintiff now seeks to file a Reply in Support of Plaintiff's Motion to Strike. Plaintiff has conferred with Counsel for Amazon and was told that Amazon takes no position on Plaintiff's request to file a Reply Brief.

II.

Under Local Rule of Civil Procedure 7.1(c), this Court may permit additional briefs or submissions if the Court deems them necessary. Here, there is good cause for the Court to grant this Motion for Leave. First, Plaintiff seeks to file a Reply Brief to respond to the arguments Amazon has made for the first time. Second, Plaintiff wishes to provide full and complete information to the Court so that the Court can make an informed decision.

Accordingly, Plaintiff respectfully requests that the Court grant this Motion for Leave to File a Reply Brief and allow the Reply Brief attached hereto as Exhibit A to be filed.

**CONCLUSION**

For these reasons, Plaintiff respectfully requests that the Court grant this Motion for Leave.

Date: January 9, 2025

Respectfully submitted by:

By: /s/Don J. Foty  
Don J. Foty  
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Attorneys for Plaintiff and Class Members

**CERTIFICATE OF SERVICE**

This is to certify that on January 9, 2025 a true and correct copy of the foregoing instrument was served via the Court's electronic filing system.

By: /s/ Don J. Foty  
Don J. Foty